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->From the Editor's Keyboard   "Saying it like it is!"
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Black Friday! What a hoax upon the average consumer! Anything to grab
hordes of customers to your business in the hopes of getting some fantastic
savings on their purchases - and waiting for hours in lines overnight for
the privilege! Sure, perhaps a dozen people or so might get a bargain,
but not much more than that. And, being open for business on a major
family holiday - another joke. And what's worse, people actually look
forward to this particular shopping day! Welcome the beginning of this
year's "holiday spirit"!

So, how was your Thanksgiving holiday? We had a terrific, quiet celebration
here at home. And, plenty of leftovers, by design! I'm not sure what I
like best about the holiday feast - the actual meal of the ability to pig
out on leftovers for a few days afterward! As it turns out, I can finally
manage to button up my pants all the way up! But that may not last too long!

Until next time...

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->In This Week's Gaming Section - Nintendo's Wii U: First Impressions!
  """"""""""""""""""""""""""""""   PS Vita Owners Create Their Own Games!

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->A-ONE's Game Console Industry News   - The Latest Gaming News!
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                    Nintendo's Wii U: First Impressions

Nintendo's newest console has only been available for one day, but that's

still enough time for early-bird consumers to get their hands on the Wii U, and test out its features and games.

We spent the last 24 hours playing with the Wii U, and have organized our early thoughts on the system. Read on if you're on the fence about buying one.

Setting up the Wii U is easy, but installing the software is more of a process. Nintendo issued a day-one patch to activate features such as MiiVerse, the company's social features; this means users will spend between one to three hours (depending on connection speed) downloading and installing a patch that bricks their system. Not a great way to greet consumers excited to play your games. But there's a chance that servers won't be as busy in the coming weeks, so download times may improve. Each game I inserted had its own patch too, which users have to install on the second playthrough.

After getting through the patch, user still face an involved setup. They have to create their Mii avatar before they start playing, and create a Nintendo Network ID for network play. Users must also set up the GamePad's universal remote functionality, which is thankfully the easiest part of the process. They only have to pick their TV manufacturer (the Wii U knows what to do next). The GamePad controls volume, input source and channels.

The GamePad is the Wii U's main portal, so users need it to access all the relevant menus (the console shows a different menu from the television); here, users can launch applications by touch. The default view includes apps such as Netflix, Hulu Plus, Amazon Video Services and YouTube; but only Netflix is available now, which seems a bit like false advertising. Loading other options, such as the Nintendo eShop, requires pressing the Home button on the controller, which is unintuitive at first. But soon, the button quickly becomes a handy way to navigate to other parts of the Wii U, like the upcoming Nintendo TVii.

The most troublesome thing about the console is that everything moved slowly; launching games and apps took a long time. I felt like I spent awhile looking at a spinning blue circle.

Wii U games definitely take advantage of the console's ability to support high-definition graphics. Cartoony games, such as Scribblenauts Unlimited or Nintendo Land look beautiful. For games such as ZombiU, which are supposed to appear more realistic, users might be disappointed. This system is supposed to be the next-generation of gaming consoles - meant to outshine the Xbox 360 - but I can't say it achieves that.

Pre-launch, Nintendo has spent much of its time crowing about the features of the GamePad, a hybrid touch screen and controller that's central to the Wii U. The first thing I noticed is its large size; but after spending a few hours with the GamePad, I've concluded that it won't weigh you down like an iPad, yet is substantial enough that it doesn't feel like a toy (though the glossy finish makes it look like one.)

Unfortunately, the GamePad takes some getting used to as an actual controller, especially for games that require more than simple controls or the gyroscope. My biggest complaint is that Nintendo bucked all gaming-controller tradition by swapping the position of the right analog stick and the four letter buttons. Anyone who has played any other modern console (including Nintendo's own GameCube) knows instinctively that the analog stick goes below the buttons; but Nintendo flipped them on both the GamePad and the Pro Controller. If the company is only targeting

non-gamers, they won't notice; but this will be a difficult change for many others. Despite this drawback, the buttons, and especially triggers, feel good.

The GamePad is mostly dominated by the 6.2-inch touch screen with a passable resolution: 854 x 480. The most appealing feature of the Wii U - that users can play games or watch movies entirely on the GamePad - may be spoiled for some looking for HD crispness. Still, I watched a whole episode of Portlandia from Netflix on the GamePad, and also spent time playing New Super Mario Bros. U with the television off. Being able to isolate your gameplay to a smaller screen is very novel, and one of my favorite parts of the system.

Nintendo's Wii U has a better launch lineup coming out, compared to other consoles - but only a few titles stick out. Almost everyone I talked to in line at the Nintendo World store during the Wii U launch wanted New Super Mario Bros. U or ZombiU, both of which are fun titles. Nintendo Land, which is a pack-in if users purchase the Deluxe model, is going to be a huge hit at parties; from what I've seen so far, it has some engrossing minigames. I haven't cracked open Scribblenauts Unlimited yet, but in demos it looks like a very promising title that would go well with a touch screen.

Some non-exclusive titles on other consoles are also appealing. I'm looking forward to digging in to Epic Mickey 2 and Tekken Tag Tournament 2. While the system had 24 launch titles, many more are expected to debut in the coming months.

PlayStation Mobile Now Lets PS Vita Owners Create Their Own Games

Think you (or someone you know) has what it takes to write games for the PlayStation Vita? Sony just opened up its PlayStation Mobile game store to anyone who wants in. All you need is a half-decent Windows PC and a Vita, and the cash for a $99 developer fee - the same yearly price Apple charges.

PlayStation Mobile isn't the same thing as the PlayStation Store, where you can buy most PlayStation games and downloadable content. It's more like a separate department that's only on the PlayStation Vita and on PlayStation Certified Android devices like Sony's smartphones and tablets.

In a nutshell, it's Sony's version of Xbox Live Indie Arcade, except that it's for portable PlayStation consoles instead of home Xbox ones. It's where small, indie studios can get their work published and featured, and where PlayStation Vita owners can look for unique, inexpensive game titles.

Game developers can start with PlayStation Mobile by registering on its developer site. After that, they download the PlayStation Mobile SDK (software development kit), and get to work on their games. Third-party software like the free Blender 3D modeling program can be used to create in-game art assets, while the SDK itself is powered by the open source Mono version of C#, the same programming language used by Xbox Live Indie Arcade's XNA toolkit.

For starters, the $99 annual fee and the cost of a PlayStation Vita or PlayStation Certified device put it right up there with Apple's App Store

in terms of up-front expense, except that you don't have to buy a Mac to write things for it. This is a lot more than the $25 one-time fee to get in to the Google Play store, which you can use pretty much any computer and Android device to write for. On the other hand, anyone who's considering writing PlayStation Vita games probably already owns a Vita to begin with.

Developers aren't allowed to write non-game apps for PlayStation Mobile, unlike with most markets. Pretty much the only apps seen on the Vita so far are official licensed ones like YouTube and Flickr, while PlayStation Certified devices running the Android OS get their apps from the Google Play store anyhow.

Perhaps the strangest restriction? Developers don't get to set their own games' price. They instead specify a "wholesale price," as though they were selling their games to Sony, and it decides how much to sell them for. In essence, the company chooses its own profit margin on a per-game basis, unlike most app markets' 70/30 split. It also seems to be able to decide when and whether games go on sale.

Rami Ismail told "The Story of Super Crate Box" on the PlayStation Blog, explaining how he and a fan managed to bring an iOS game that he'd already made to the PlayStation Vita on very short notice. He said the game "feels right at home" on the portable console, while Joystiq's JC Fletcher calls the Vita port "the definitive version." As for whether it's selling well or not, though, we may have to wait to find out.

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A-ONE's Headline News
The Latest in Computer Technology News
Compiled by: Dana P. Jacobson

SC Governor Admits Hacking Errors; Revenue Chief Quits

State officials did not do enough to prevent a cyber-attack at South Carolina's tax collection agency that exposed the personal data of nearly 4 million individual filers and 700,000 businesses, Gov. Nikki Haley said Tuesday.

Haley also said she accepted the resignation of Department of Revenue Director Jim Etter, effective Dec. 31.

"Could South Carolina have done a better job? Absolutely, or we would not be standing here," Haley said in releasing a report from Mandiant. The computer security firm was hired Oct. 12 to close the gap and determine what happened. That was two days after the Secret Service notified state officials of the breach.

The release of Mandiant's findings follow weeks of Haley saying no one was to blame and nothing differently could have been done.

Haley said Mandiant showed Revenue's system was vulnerable because it did

not require dual verification for someone trying to access tax returns and did not encrypt Social Security numbers. But the Republican governor blamed the debacle on antiquated state software and outdated IRS safety guidelines.

"This is a new era in time. You can't work with 1970 equipment. You can't go with compliance standards of the federal government," Haley said. "Both are outdated."

The Revenue hacker stole data from returns filed electronically, as far back as 1998 but mostly since 2002. The cyber-thief took 3.3 million unencrypted bank account numbers, as well as 5,000 expired credit card numbers. The Social Security numbers of 1.9 million children on parents' returns were also compromised.

The cyber-attack, believed to be the biggest on a state tax agency in the nation's history, follows the theft of patient data from the state's Medicaid agency earlier this year. In that instance, an employee is accused of physically removing the data.

Last week, Haley ordered all of her 16 Cabinet agencies to use computer monitoring by the state information technology division. Revenue has been criticized for previously turning down its free services. Haley is also transferring people to the state IT division, so that an employee can monitor Cabinet agencies' systems around-the-clock. All Cabinet agencies must also use a Mandiant service, dubbed "the hand," designed to shut down a computer if data is being improperly transferred.

Mandiant identified precisely whose information was stolen. Those taxpayers will be notified by email or letter, Haley said.

Famed Hacker Guilty of 'Stealing' iPad User Data

Infamous hacker Andrew Auernheimer, aka "Weev", was convicted of conspiracy to access a protected computer without authorization, a violation of the Computer Fraud and Abuse Act (CFAA), as well as fraud in connection with personal information, in United States Third Circuit Court today (Nov. 20).

Auernheimer vowed to appeal the verdict "as far as possible" and said the jury's decision was largely a byproduct of computer illiteracy among the general population.

"Hey epals don't worry!" Auernheimer wrote on his Twitter feed following the verdict. "We went in knowing there would be a guilty here. I'm appealing of course."

Before the verdict, Auernheimer was in good spirits.

"See you in 10," he joked in the courthouse elevator on his way to lunch, referring not to minutes but to the to the number of years he could be behind bars if convicted.

A decade is a long time to have hanging over your head. Still, the 27-year-old laughed with friends over a prosciutto-and-mozzarella-topped salad at a pizzeria adjacent to the courthouse. Auernheimer said he has a gluten allergy.

After lunch, Auernheimer, who is forbidden from using computer but is allowed to use mobile devices with Internet connectivity, repeatedly checked his Twitter feed to gauge reactions from friends and supporters.

After the verdict, Auernheimer's mood seemed to mellow, but his eyes remained firmly fixed to his tablet.

Auernheimer, who usually sports a large bushy beard, might have been almost unrecognizable to his fans today. He appeared in court clean-shaven in a suit and tie.

Only his well-worn dark brown corduroy Jan-Sport backpack hinted at the anti-establishment and chaotic ideals stored behind his black thick-rimmed glasses.

In early June 2010, Auernheimer's friend Daniel Spitler "spoofed" the cellular IDs of 3G-data-enabled iPad ICC-IDs in order to see email addresses linked to the IDs, a security flaw made possible by a feature AT&T set up as a convenience to early adopters of 3G iPads.

Spitler realized that each iPad was encoding its own cellular ID number, or integrated circuit card (ICC) ID, in the URL, or Web address, that it used to access the AT&T website. He then found that subtly altering the cellular ID numbers in the URL would generate different email addresses on the AT&T site.

Intrigued, he wrote a computer script that ran through possible iterations of the cellular ID number, called it the "Account Slurper" and used it to harvest 114,000 email addresses posted on the AT&T site.

Spitler passed the harvested emails on to Auernheimer, who was already notorious for being an Internet "troll" and in 2008 had been profiled by the New York Times before his real name was publicly known.

Auernheimer unsuccessfully tried to shop the emails to major media outlets before handing the data to the gossip blog Gawker. By the time Gawker published the story on June 9, 2010, the flaw had been patched.

The list of harvested emails was never publicly released, and it did not lead to any identity thefts.

Both Auernheimer and Spitler were charged in January 2011, but within a few months Spitler took a plea deal and agreed to testify against Auernheimer.

Auernheimer's indictment says that Spitler "attacked" and "gained unauthorized access to" AT&T's servers to steal email addresses.

In fact, the data would have been publicly available to anyone who entered the correct URL into a Web browser. Spitler's script simply ran through the possible set of URLs.

The indictment also accuses Auernheimer of planning to profit from the theft of the emails, citing Internet relay chats among his fellow hackers that sound more like workplace banter than a nefarious conspiracy.

"If we can get a big dataset we could direct market iPad accessories," Auernheimer allegedly wrote.

The Computer Fraud and Abuse Act of 1986 predates the World Wide Web and makes it illegal to "access a computer without authorization or exceed authorized access from [a] protected computer."

Since the Web's development in 1991, both legal and technology experts have asserted that the law's language is so vague and overly broad that it has no real meaning.

In previous cases, three U.S. circuit courts accepted broad interpretations of the law, but two others said the law needed to be tailored.

The inconsistent rulings on the CFAA from various circuit courts indicates that the law is too hazy and that an overarching precedent may need to be set by the U.S. Supreme Court.

"Everybody here accesses a protected computer by the definition of the law," Auernheimer said while the jury was still deliberating. "The 'protected computer' is any network computer. You access a protected computer every day.

"Have you ever received permission from Google to go to Google? No. Nobody has ... Every computer with an Internet connection ... that's a pretty broad scope of protected computers."

In closing arguments, Auernheimer's defense attorney, Tor Ekeland, said his client's biggest offense was akin to a game of "ding-dong ditch."

"Annoying?" Ekeland asked the jury. Yes. But criminal? Hardly.

Ekeland described Auernheimer as "hyperbolic" and a "blowhard" but made it very clear that he was anything but a criminal.

The prosecutor rebuffed that assertion and said Auernheimer "stole by deception" when he and Spitler spoofed the iPad ICC IDs in order to retrieve their corresponding email addresses.

Ekeland pointed out though, that the ICC codes, unique identifying numbers found on the SIM cards inside cellular-enabled iPads, are not security mechanisms the same way a computer password or PIN are.

He argued that ICCs are simply used for identification purposes   the equivalent of a serial number on a dishwasher, Ekeland said.

Again, the prosecution differed, pointing to the fact that ICC IDs are longer than Social Security numbers. The prosecutor accused Auernheimer of "impersonating" an iPad in order to gain access to AT&T's servers.

The prosecution's argument ultimately convinced the jury, but Auernheimer still thought it was absurd.

"Adding one to a number cannot be impersonation," Auernheimer countered outside of the courtroom. "That's a ridiculous argument. That's like page numbers in a book."

Even top AT&T security personnel said the incident wasn't a big deal, according to an email which the defense presented as evidence.

"R. David Halsey from AT&T used the words, 'There was no security bypass,'" Auernheimer reiterated. "It can't be clearer than that. The definition of 'unauthorized access' has to include the bypass of security

measures."

It was the government, not AT&T, that pressed charges, Auernheimer said.

For giving the press email addresses that his friend collected on the Web, Auernheimer could go to jail for a longer than some violent convicts.

"Don't be dumb and try to fight things and make things better here like I did," he said.

Had he been acquitted, Auernheimer said he would have liked to visit family abroad and "probably not come back for a while."

"They love to kill messengers in this country," he said. "This has been a very hazardous place to hold an unpopular political opinion for four decades now really, and it ain't getting any better."

'Anonymous' Targets Israeli Websites over Gaza War

A concerted effort of millions of attempts to cripple Israeli websites during the Gaza conflict has failed, Israel's finance minister said Monday, claiming that the only site that was successfully hacked was back up within minutes.

Cyber security experts said that such hacking attempts have become a new aspect of modern-day warfare and states have to invest in fortifying their virtual defenses on a battleground with vague terrain.

Israel regularly fights off hundreds of hacking attempts every day, but nothing on the scale of the recent torrent of attacks.

The online group Anonymous and other protesters have barraged Israel with more than 60 million hacking attempts, according to the finance minister, Yuval Steinitz.

To counter the threat, Steinitz said, the government is working in "emergency mode." He claimed all but one of the attacks has been fended off, and that one knocked a website offline for only 10 minutes.

Anonymous - the multifaceted movement of online rebels and self-described "hacktivists," spearheaded the campaign against Israel, distributing press releases and videos denouncing what it described as an "insane attack" against Gaza. The cyber onslaught began after Israel launched airstrikes against Gaza last week following persistent rocket fire.

Others have joined into what has effectively become a free-for-all attack on Israel. One group, which called itself the Pakistani Cyber Army, claimed responsibility for having hijacked roughly two dozen Israeli-registered sites, including one belonging to Coca-Cola.

One of its members, who identified himself only as a Pakistani Muslim, told The Associated Press that more was on the way.

"We won't stop until they stop killing innocent kids and people," he said.

Much of the online onslaught has come in the form of denial-of-service attacks, a technique that works by overloading a website with traffic.

Tel Aviv-based security company Radware said the attacks against Israel first began surging across the web on Thursday, describing some as well coordinated denial-of-service attacks. Although such attacks can effectively knock their targets off the web, they're usually temporary and rarely do lasting damage.

Radware said the targets included the Israel Defense Forces, the prime minister's office, Israeli banks, the Tel Aviv city government, airlines, infrastructure and business sites.

Ronen Kenig, a Radware analyst, said the flow of rogue traffic wasn't as powerful as attacks that hit the U.S. banking sector two months ago.

"In terms of the amount of traffic, it's not massive," he said, explaining that the attackers were yet to draw on networks of infected computers known as botnets to mount their attacks. Botnets are amassed by hackers and can grow to include thousands of compromised computers, giving them much more firepower than a few dozen online activists acting in tandem.

Government sites aren't the only ones targeted. Many other apparently randomly chosen Israeli sites have been hit, including an Israeli massage parlor, an obscure luxury car site, an accountancy practice and a university website.

Erel Margalit, chairman of Jerusalem Venture Partners, a leading Israeli venture capital firm, has invested significantly in Israel's cybersecurity system but said more must be done.

"Israel has the Iron Dome system (to intercept incoming rockets), but it needs a cyberdome," he said, noting the government just approved collaboration on the first-ever private cybersecurity incubator to further invest in the industry.

"The start-up nation is also a cybernation, it needs to be defended, and Israel is known to be quite advanced in this field," he said. Israel is often called the start-up nation because of its technology companies.

Kenig said his company had seen evidence the attackers were ramping up their efforts.

Technolytics Institute, a private U.S. consultancy, said Israel is prepared to confront incoming threats, rating Israel as fourth behind Russia, China, and the U.S. for cyberintelligence capabilities not just defensive, but offensive, as well.

Kevin Coleman, senior fellow at Technolytics, said while Israel has invested significantly in the industry, Anonymous has become a new, threatening "virtual state" of sorts.

"When you think about conflict in general, you think about borders, but the internet doesn't have borders," he said. "So how do you retaliate against a loose coalition? How do you negotiate a cease-fire with Anonymous? We're at the tip of the iceberg in figuring out how to deal with virtual states and creating a new paradigm," he said.

"We need to do it quickly, though. This is the warfare of the future."

China Detains Man for Twitter Joke on Party Meet

Hundreds of Chinese Internet users are rallying around a Beijing blogger who has been detained by police after posting a joke on Twitter about the pivotal Communist Party congress.

Chinese authorities have been especially sensitive to any perceived dissent about the party meeting, which closed last week after ushering in a new generation of leaders. Ahead of the event, police sent activists out of Beijing and rounded up the hundreds of people who tried to draw the attention of central authorities to their grievances against local governments.

Zhai Xiaobing's Nov. 5 tweet suggested the next movie in the "Final Destination" horror franchise would be about the Great Hall of the People collapsing on party delegates.

The tweet said, "An earthshaking debut will be seen at the global premiere on Nov. 8!" The weeklong congress began Nov. 8.

After Zhai's Twitter account fell silent for a few days, Liu Yanping, a friend of his, grew worried and visited his home in Miyun county in Beijing's northeastern suburbs. There, his family members told Liu that Miyun county police had taken Zhai away on Nov. 7 and seized his computer, Liu said.

A Miyun county police officer who would only give his surname, Sun, told The Associated Press on Wednesday that Zhai was being investigated for "spreading terrorist information." The charge carries a maximum penalty of five years' imprisonment.

Zhai's supporters call the allegation absurd and more than 400 people have signed an online petition calling on police to release him   and to have more of a sense of humor.

"I was very shocked when I realized what happened to him. I've consulted a few lawyers and I feel that it's clear his Twitter joke does not amount to spreading terrorist information," Liu said. "It's just preposterous."

Liu said she and a few other activists have been in touch with Zhai's family and would help hire a lawyer. She said state security officials visited Zhai's wife to warn her to keep a low profile.

Zhai's wife, when reached by phone, declined to comment on her husband's situation.

The online petition, written by outspoken blogger and free speech advocate Wen Yunchao, urges authorities to lighten up.

"We solemnly request that Beijing police find a little sense of humor and not make a big deal out of nothing," the letter said. "In particular, do not destroy the goodwill and anticipation the public has for the new office holders after the 18th party congress by limiting and persecuting an ordinary citizen's normal freedom of speech in such a groundless fashion."

Further enquiries were directed to the Beijing Public Security Bureau, which did not immediately respond to a faxed list of questions.

A rights group said Zhai's case could be seen as a test of whether China's incoming leaders will continue a steady crackdown authorities have imposed on the country's small community of activists, dissidents and lawyers in recent years.

"The new leadership has two choices: continue down the path of criminal prosecution to signal that they are unwilling to change, or release Zhai to show goodwill that it is responding to popular demands for greater freedom," said Maya Wang, a Hong Kong-based Asia researcher for Human Rights Watch.

Australian Tax Crackdown To Target Google, Other Multinationals

Australia released draft revisions to tax laws on Thursday, which it said were designed to stop big firms, including the local arm of Google, from shifting their income to countries such as Holland or Ireland where the tax rates are lower.

The move is in line with a push by Britain and Germany who want the G20 group of nations to make multinational companies pay their "fair share" of taxes, following reports of large firms exploiting loopholes to shift taxation of their income away from where they are generated.

Australia's Assistant Treasurer David Bradbury said the tax laws were being revised to ensure that companies pay tax on profits made in the country, citing the case of Google Australia.

"While the day-to-day dealings of Australian firms advertising on Google might be with Google Australia, under the fine print of contracts Australian firms sign with Google, they are actually buying their advertising from an Irish subsidiary of Google," Bradbury said in a speech to accountants in Sydney.

"It is then argued that the source of this income - and therefore the taxing rights under our tax treaty - would be with Ireland rather than Australia."

Australia's company tax rate is 30 percent, compared to Ireland's rate of 12.5 percent.

Google Australia would not comment directly on Bradbury's comments, but said it complied with all local tax laws.

"We make a significant contribution to Australia's economy by helping thousands of businesses grow online, providing services to millions of Australians at no cost, as well as employing 650 people locally," a Google spokesperson said in a statement.

"We abide by all Australian tax laws."

Bradbury said Google's tax structures involved complicated royalty payments to a Dutch subsidiary which is paid back to another holding company controlled in Bermuda, where there is no corporate tax.

"The profits from the sale of advertising to an Australian firm then sit in a tax-free jurisdiction - possibly indefinitely," Bradbury said.

In October, a Reuters report showed Starbucks had legally lowered its UK
tax bill with inter-company loans, paying royalty fees to foreign
subsidiaries and allocating money made in the UK to other units in
so-called "transfer pricing".

In other recent reports, companies including Apple have come under
scrutiny for their approach to paying taxes.

            Not That Hard for Authorities To Get to Your Email

Your emails are not nearly as private as you think.

The downfall of CIA Director David Petraeus demonstrates how easy it is
for federal law enforcement agents to examine emails and computer records
if they believe a crime was committed. With subpoenas and warrants, the
FBI and other investigating agencies routinely gain access to electronic
inboxes and information about email accounts offered by Google, Yahoo and
other Internet providers.

"The government can't just wander through your emails just because they'd
like to know what you're thinking or doing," said Stewart Baker, a former
assistant secretary at the Homeland Security Department who's now in
private law practice. "But if the government is investigating a crime, it
has a lot of authority to review people's emails."

Under the 1986 Electronic Communications Privacy Act, federal authorities
need only a subpoena approved by a federal prosecutor not a judge to
obtain electronic messages that are six months old or older. To get more
recent communications, a warrant from a judge is required. This is a
higher standard that requires proof of probable cause that a crime is
being committed.

Public interest groups are pressing Congress for the law to be updated
because it was written a quarter-century ago, when most emails were
deleted after a few months because the cost of storing them indefinitely
was prohibitive. Now, "cloud computing" services provide huge amounts of
inexpensive storage capacity. Other technological advances, such as
mobile phones, have dramatically increased the amount of communications
that are kept in electronic warehouses and can be reviewed by law
enforcement authorities carrying a subpoena.

"Technology has evolved in a way that makes the content of more
communications available to law enforcement without judicial
authorization, and at a very low level of suspicion," said Greg Nojeim, a
senior counsel at the Center for Democracy & Technology.

The chairman of the Senate Judiciary Committee, Patrick Leahy, has proposed
changing the law to require a warrant for all Internet communications
regardless of their age. But law enforcement officials have resisted
because they said it would undercut their ability to catch criminals.

A subpoena is usually sufficient to require Internet companies to reveal
names and any other information that they have that would identify the
owner of a particular email account. Google, which operates the widely
used Gmail service, complied with more than 90 percent of the nearly
12,300 requests it received in 2011 from the U.S. government for data
about its users, according to figures from the company.

Even if a Gmail account is created with a fictitious name, there are other ways to track down the user. Logs of when messages are sent reveal the Internet address the user used to log onto the account. Matching times and dates with locations allow investigators to piece together the chain.

A Gmail account figured prominently in the FBI investigation that led to Petraeus' stunning resignation last week as the nation's spy chief. Petraeus, a retired Army general, stepped down after he confessed to an extramarital affair with Paula Broadwell, an Army Reserve officer and his biographer.

The inquiry began earlier this year after Jill Kelley, a Florida woman who was friends with Petraeus and his wife, Holly, began receiving harassing emails. Kelley is a socialite in Tampa, Fla., where the military's Central Command and Special Operations Command are located.

Petraeus served as commander at Central Command from 2008 to 2010.

FBI agents eventually determined that the email trail led to Broadwell, according to two federal law enforcement officials, who spoke on condition of anonymity because the sources were not authorized to speak about the matter on the record. As they looked further, the FBI agents came across a private Gmail account that used an alias name. On further investigation, the account turned out to belong to Petraeus.

The contents of several of the exchanges between Petraeus and Broadwell suggested they were having an affair, according to the officials. Investigators determined that no security breach had occurred, but continued their investigation into whether Petraeus had any role in the harassing emails that Broadwell had sent to Kelley, which was a criminal investigation.

Petraeus and Broadwell apparently used a trick, known to terrorists and teenagers alike, to conceal their email traffic.

One of the law enforcement officials said they did not transmit all of their communications as emails from one's inbox to the other's inbox. Rather, they composed some emails in a Gmail account and instead of transmitting them, left them in a draft folder or in an electronic "dropbox." Then the other person could log onto the same account and read the draft emails there. This avoids creating an email trail, which is easier to trace. It's a technique that al-Qaida terrorists began using several years ago and teenagers in many countries have since adopted.

Windows 8 Is "Terrible," Says Usability Expert

When gadget and web companies want to make sure people can figure out how to use their stuff, they turn to experts like Jakob Nielsen, who's most widely known for his free Alertbox column.

Last year, Nielsen's scathing review of Amazon's Kindle Fire made headlines, alerting buyers to the tablet's choppy scrolling and hard-to-use volume controls. Now, Nielsen has published the results of a study where his firm "invited 12 experienced PC users to test Windows 8," the new version of Windows, on both normal PCs and Microsoft's new Surface RT tablets.

Nielsen pulled no punches in summing up his firm's study, saying Windows 8 throws Microsoft's most loyal customers "under the bus" and that it "removes a powerful PC's benefits."

For tablet use, like on the new Surface RT tablets Microsoft brought out to compete with the iPad, Nielsen feels Windows 8's issues are "nothing that a modest redesign can't fix." He thinks we'll have to wait until Windows 9 for that redesign, though, the same way that Windows 7 fixed many of Vista's problems.

The study's participants were asked to perform a series of tasks, such as changing the Start screen's background color. Usability consultants then watched how they did, and noted problem areas. Such as ...

Microsoft's "Modern" UI (previously called Metro) uses flat, monochrome, and extremely simplistic icons, which sometimes don't even have a box around them. Many of the study's participants couldn't find the "Change PC settings" menu, because it didn't have an icon and it looked like it was the label for other settings icons right near it. Tapping in places you'd expect to have a result, such as a running app's title, didn't work, while Microsoft's new swiping gestures were often hard to figure out.

On the scale between "coffee table photo book" and "telephone book," Windows 8 apps are way over on the coffee table's side. In contrast to websites packed with pages of text and dozens of images, Windows 8 apps feature large, beautiful pictures, and only minimal text blurbs beneath. While this gives them a striking appearance, it also means it takes lots of swiping to get anywhere.

Windows 8's Start screen, on the other hand, "feels like dozens of carnival barkers yelling at you," according to Nielsen. The animated "live tiles" which apps use to display up-to-date information are also what you tap on to launch them, so it can be hard to pick out the right one and easy to get distracted.

Nielsen says he plans to stick with Windows 7 until Windows 9 is released. He has an especially unfavorable view of Windows 8 for "knowledge workers ... in the office". This may be the group least likely to see Windows 8 anytime soon, however, thanks to years-long corporate support contracts and conservative IT departments.

Kansas Court Lawyer Fired for Inappropriate Tweet

A state appeals court attorney in Kansas was fired on Monday for inappropriate comments on Twitter about former Kansas Attorney General Phill Kline, who faces a state Supreme Court ethics review over cases he handled against abortion providers while in office.

As Kline's case was heard before the state Supreme Court last Thursday, Sarah Peterson Herr, a research attorney for the Kansas Court of Appeals, tweeted about the expressions on his face, writing "Why is Phil Klein (sic) smiling? There is nothing to smile about, douche bag."

Ron Keefover, a spokesman for the Kansas Supreme Court, said Herr was originally suspended Friday pending further investigation and dismissed

on Monday.

Herr could not be reached for comment on Monday.

Kline, a conservative crusader against abortion, could have his law
license indefinitely suspended if he is found to have acted unethically.

A Kansas disciplinary panel for lawyers has ruled that Kline, who was
attorney general from 2003 to 2007, had committed "ethical misconduct"
and recommended suspension of his license.

6 Ways To Tweet Yourself Out of A Job

Hate your job? Want to leave without giving two weeks notice? Thanks to
Twitter, it's never been easier to get fired, says Rob Lammie at Mental
Floss

Step 1: Drunk tweet

As any Spring Break partier knows, drinking impairs your judgment. It
seems to have also impaired the judgment of Major League
pitcher-turned-sports-radio-host Mike Bacsik, who put on quite a show
during a San Antonio Spurs and Dallas Mavericks NBA game in April 2010.
While watching the game, Bacsik bragged that he was "About 12 deep and
some shots." He proceeded to unleash a string of insults aimed at NBA
commissioner David Stern, accused the refs of fixing the game, and even
threatened to blow up the NBA's offices. But the one that really got
people riled up came after the Mavericks lost the game, when Bacsik
tweeted:

@MikeBacsik: "Congrats to all the dirty mexicans in San Antonio."
After sobering up, Bacsik deleted the offending tweets and issued an
apology. But it was too little, too late. Numerous people complained to
his radio station, which first suspended Bacsik and later fired him.
After his dismissal, he told ESPN Dallas, "When you tweet like that,
it's not a playful, harmless thing I'm very sorry and will try my best
for my actions to speak louder than my tweets."

Step 2: Break the law (or just anger your governor)

Twitter has become a great tool for politicians to connect to the voting
public. Former Mississippi Governor Haley Barbour, for one, has really
embraced the technology as a way to share his opinions and views. For
example, in December 2009, he sent out a tweet saying:

 @HaleyBarbour: "Glad the Legislature recognizes our dire fiscal
situation. Look forward to hearing their ideas on how to trim expenses."
Jennifer Carter, one of his Twitter followers who worked for the
University of Mississippi Medical Center (UMC), read this message and
offered up a suggestion on how Governor Barbour could personally save the
taxpayers money:

"Schedule regular medical exams like everyone else instead of paying UMC
employees overtime to do it when clinics are usually closed."
This "Oh, snap!" moment referred to an incident that had occurred three
years earlier, when the governor requested the medical center open on a
Saturday, when they were normally closed, and bring in a staff of 15-20

people who were paid overtime to administer his annual check-up. This happened before Carter worked for UMC and she was simply repeating what she had been told by other employees.

The governor's office tracked down Carter and made a formal complaint to UMC, saying Carter had violated the Health Insurance Portability and Accountability Act, a privacy law that states no employee of a medical facility can reveal any information about a person's "protected health information." Some argued that Carter didn't violate HIPAA, since she didn't actually give out any information about the health of the governor. However, others believe that simply saying the governor had even visited a doctor is a violation.

Semantics aside, UMC administrators said it was a violation, so they suspended Carter for three days without pay and strongly suggested she resign to avoid further disciplinary action, which she did.

Step 3: Have an NSFW lifestyle

St. Louis-based blogger "The Beautiful Kind" had been writing online about her polyamorous sex life for years. Knowing that not everyone would agree with her chosen lifestyle, she was always very careful about maintaining her anonymity, especially when it came to the workplace. So when she signed up for Twitter, she wanted to be anonymous there as well. She thought that, thanks to the similarities between the two, it was like signing up for an online message board   you supplied your real name to the website privately, but could choose to be known publicly by your username only. But when she logged in for the first time and saw that, not only did it show her username (@TBK365), but also her real name on her profile, she immediately went back and removed it.

Thinking she was now safely anonymous, she used Twitter to promote her blog and to discuss sexually explicit topics with her followers. However, when her boss at the non-profit group where she worked was told by upper management to do a Google search of all employees, TBK's Twitter account information   with her real name still associated   came up on the Twitter tracking site topsy.com.

The next day, TBK was called into her boss' office and fired on the spot. Afterwards, her former boss sent her a letter saying, "While I know you are a good worker and an intelligent person, I hope you try to understand that our employees are held to a different standard. When it comes to private matters, such as one's sexual explorations and preferences, our employees must keep their affairs private." Because Missouri is an at-will employment state, meaning employers can fire someone for just about any reason, TBK was SOL.

Step 4: Question company policy

When California Pizza Kitchen (CPK) traded in their standard white shirts for black ones, employee Tim Chantarangsu wasn't happy with the change. So he tweeted @calpizzakitchen his opinion:

@traphik: "black button ups are the lamest s**t ever!!!"
He didn't expect anyone to notice or care, but the next day he received a direct message from corporate asking what restaurant he worked for. He knew better than to respond, but they tracked him down anyway and he was fired. They not only referenced his tweet about the shirts, but also an earlier one where he had said he was getting ready to work at "Calipornia Skeetza Kitchen."

Little did they know that Chantarangsu is kind of a big deal on another social website, YouTube. Under the name TimothyDeLaGhetto2, Chantarangsu has hundreds of thousands of subscribers, accounting for over 10,500,000 views of his videos at the time. Of course he made a YouTube video telling his Twitter story and it has been viewed well more than 100,000 times. Shortly after the incident, he asked his followers to bombard CPK's Twitter account with RTs (re-tweets) of his offending message, which they were more than happy to oblige.

Step 5: Make a celebrity look bad

During his five years on the job, Jon Barrett-Ingels had served a lot of celebrities as a waiter at Barney Greengrass, an upscale restaurant in Beverly Hills. One day, Jane Adams, star of the HBO series Hung, came in and had lunch to the tune of $13.44. Unfortunately, when the bill came, Adams realized she had left her wallet in the car. Ingels knew who she was, so he told her she could run out and grab it and come back. The actress left, but didn't return. Instead, someone from her agency called the next day and paid the bill. However, they didn't leave a tip. Ingels had recently signed up for Twitter and so, his sixth tweet to his 40 followers said:

@PapaBarrett: Jane Adams, star of HBO series "Hung" skipped out on a $13.44 check. Her agent called and payed the following day. NO TIP!!!"
Over the next few weeks, Ingels started using Twitter to send out a few harmless observations about celebrities that came in to eat   mainly what they ordered or what they looked like that day. Then, out of the blue, Jane Adams came back to the restaurant. According to Ingels' blog, she was clearly upset and begrudgingly slapped $3 on the bar for Ingels as a tip. Surprised, Ingels told the actress she really didn't have to do that, but her gesture was appreciated. She allegedly replied with, "My friend read about it on Twitter!" before storming off. Adams complained about the tweet to management, so someone from Barney's corporate started following Ingels on Twitter to see what he was up to. After reading his celebrity tweets, it didn't take long before they gave him the boot.

Step 6: Don't get hired in the first place

If you've followed steps 1   5 and you still have a job, here's the ultimate way to make sure Twitter will keep you from gainful employment.

When recent college grad Skye Riley heard back from Cisco, the computer networking giant, about her job application, one of her first instincts was to tweet about it. Unfortunately, this is what she tweeted:

@theconnor: Cisco just offered me a job! Now I have to weigh the utility of a fatty paycheck against the daily commute to San Jose and hating the work.
The unfortunate part? An employee of Cisco, Tim Levad, came across her post while doing a Twitter search for Cisco. He replied to her by saying:

@timmylevad: Who is the hiring manager. I'm sure they would love to know that you will hate the work. We here at Cisco are versed in the web.

Riley's story was the tweet heard round the world. It became a hot topic on tech blogs for weeks afterwards, with writers calling it the "Cisco Fatty" incident. She later claimed that the tweet was taken out of context   that part of her message was referring to a well-paid internship she had turned down   but it appears the damage had already been done. While only

she and Cisco know what really happened, according to her online resume,
she has never worked for the company.

Apple's 'Spaceship' Campus Might Not Be Finished Until 2016

Apple s updated plans for its cutting-edge Apple Campus 2 design show four
levels of offices, sprawling landscape, a cafeteria, corporate auditorium
and a fitness center. The design shape is still the same as it was
initially proposed back in June, with a sleek, circular main building and
glass surrounding the exterior.

According to an updated proposal that Apple submitted to the city of
Cupertino on Nov. 14, the company's new futuristic headquarters might not
be completed until 2016, Bloomberg reports.

Apple originally wanted to start building in 2013 and relocate in 2015;
but based on the new timetable, it will more likely break ground on the
site in 2014.

Apple seems to be at fault for the delay, as the company said in August
that it would file an updated proposal in September, but only did so in
November.

If local residents don't file any legal challenges, and if city council
quickly approves the project, however, breaking ground in 2013 is still
an option, according to David Brandt, Cupertino s city manager.

The project, originally announced by late Apple founder Steve Jobs last
June, hasn't changed much in the updated proposal, the report says.

The 2.8-million-square-foot building will include a huge fitness center
and 10,500 parking spots; it will also be surrounded by 7,000 trees.

Microsoft Surface Users Complain of Wi-Fi Problems

Some users of Microsoft's new Surface tablet are complaining about
connectivity issues that are preventing them from getting on the Internet,
according to posts on Microsoft's Surface support forum.

Microsoft started shipping the tablet on Oct. 25 and the first complaints
appeared two days later. The thread is now 16 pages long, with users
saying Wi-Fi issues are causing disruptions to movie streams, file
downloads, and Web applications.

"My connection to the wifi network frequently and repeatedly goes
'limited.' If I reset the connection by turning on and off airplane mode
it works again, but only for a short amount of time ... before I have to
repeat the process again," wrote one user who goes by the name kjkeys88.

Another poster, EricLinneman, who said he is a senior consultant at
Microsoft, also said his wireless connection was showing as "limited."
Rebooting his tablet only temporary resolved the problem.

Some users thought the problem could be with their wireless router instead

of the tablet, but EricLinneman wrote that the connectivity problems
appeared to be consistent across different router brands. Other users said
the problem was happening with their Surface tablet only, not their other
wireless devices.

"I have the same issue. My iPad works just fine on the same network. And
my wireless Xbox also works just fine. Only my new Surface has issue,"
wrote poster Brian Peal.

A forum moderator and Surface support engineer at Microsoft, Steven_B,
wrote on Nov. 5 that Microsoft was investigating the issue. "We're sorry
to hear about the Wi-Fi going into limited connectivity and having poor
signal strength. We are aware of the issue and are currently investigating
the cause," wrote Steven_B on the board.

Microsoft declined to immediately comment on the issue Wednesday.

The problem is likely to be a software issue caused by buggy code or a
driver conflict, according to Zeus Kerravala, founder and principal at ZK
Research.

Limited connectivity was a problem with older Windows laptops, resulting
from conflicting Wi-Fi drivers, Kerravala said. For example, a default
Wi-Fi driver in Windows could conflict with the driver provided by a PC
maker.

Microsoft now has to patch the Windows RT OS on the Surface tablet,
Kerravala said. "That's what Microsoft does, patch things," Kerravala
said. "I'm sure they will." He didn't think the issue would affect sales
of the tablet.

Microsoft recently issued software updates for Windows RT and a firmware
update for the Surface tablet. Microsoft said the update provides
performance improvements, and did not mention any big fixes that it might
address.

Users of Apple's iPad have also complained of Wi-Fi connectivity issues
in the past, but they did not appear to affect sales of the device.

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